

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

**MIDSHIP PIPELINE
COMPANY, LLC,**

Plaintiff,

VS.

**TRACT NO. CN-0004.000,
1.504 ACRES OF LAND, MORE
OR LESS, PERMANENT
EASEMENT IN CANADIAN
COUNTY, OKLAHOMA, *et al.*,**

Defendants.

Case Number: 5:18-cv-858-G

Judge: Charles Goodwin

STIPULATION FOR VOLUNTARY DISMISSAL OF CERTAIN DEFENDANTS

NOW COME Plaintiff Midship Pipeline Company, LLC (“Midship”) and Defendants Wesley and Mary E Burchfield, Co-Trustees of the Wesley and Mary E Burchfield Revocable Living Trust, owners of the tracts of land in Grady County, Oklahoma, more particularly described and depicted in Midship’s Verified Complaint for Condemnation and exhibits thereto, as amended, as Tracts Nos. GR-0133.010, GR-0134.010 and GR-0135.010, and Central Land Consulting, LLC, a third-party claiming interest in the above-named tracts (“Stipulating Defendants”) (collectively, the “Parties”), by and through undersigned counsel, pursuant to Fed. R. Civ. P. 41(a)(1)(ii) and 71.1(i)(1)(B), and hereby enter into the following Stipulation:

1. The Parties have reached a settlement agreement regarding all claims that have been filed against Stipulating Defendants in Midship's Verified Complaint for Condemnation, as amended, and have executed the necessary documents and processed payments to effectuate the Parties' settlement agreement ("Settlement").
2. The Parties further stipulate that any interim or final orders or judgments issued by this Court or Court-appointed Commission, or any appellate court in this civil action, shall not apply to Stipulating Defendants and shall not be construed by any party as invalidating and/or modifying the terms of the Parties' settlement agreement.
3. Midship hereby dismisses all claims currently pending against Wesley and Mary E Burchfield, Co-Trustees of the Wesley and Mary E Burchfield Revocable Living Trust, owners of the tracts of land in Grady County, Oklahoma, more particularly described and depicted in Midship's Verified Complaint for Condemnation and exhibits thereto, as amended, as Tracts Nos. GR-0133.010, GR-0134.010 and GR-0135.010, and Central Land Consulting, LLC, a third-party claiming interest on Tracts Nos. GR-0133.010, GR-0134.010 and GR-0135.010 without prejudice, with each party bearing its own fees, costs and expenses.
4. Midship will withdraw its Motion for Summary Judgement as it relates to the Stipulating Defendants only.
5. This Court shall retain continuing jurisdiction to enforce the Settlement.

Respectfully submitted,

ZABEL FREEMAN

s/ Thomas A. Zabel

Thomas A. Zabel (Attorney in charge)

Texas Bar No. 22235500

tzabel@zflawfirm.com

Vadim O. Bourenin

Texas Bar No. 24076284

vbourenin@zflawfirm.com

1135 Heights Boulevard,

Houston, TX 77008

713-802-9117 (telephone)

713-802-9114 (facsimile)

and

WILLIAMS, BOX, FORSHEE &
BULLARD, PC

David M. Box, OBA #21943

Mason J. Schwartz, OBA #32864

522 Colcord Drive

Oklahoma City, OK 73102-2202

(405) 232-0080

(405) 236-5814 Fax

box@wbfbllaw.com

dmbox@wbfbllaw.com

and

HALL, ESTILL, HARDWICK,
GABLE, GOLDEN & NELSON, P.C.

Mark Banner, OBA #9643

320 North Boston, Suite 200

Tulsa, OK 74103-3706

Telephone: (918) 594-0432

Facsimile: (918) 594-0505

Email: mbanner@hallestill.com

Attorneys for Plaintiff

Midship Pipeline Company, LLC

s/ Carolyn Elefant authorized by email

Carolyn Elefant (Bar No. 425433)

Law Offices of Carolyn Elefant 1440 G

Street N.W. 8th Floor Washington D.C.

20005 202-297-6100

carolyn@carolynelfant.com

**Attorney for Defendants, Wesley and
Mary E Burchfield, Co-Trustees of
the Wesley and Mary E Burchfield
Revocable Living Trust, and Central
Land Consulting, LLC**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing has been filed and served via this Court's ECF/CM system on all the counsel of record.

/s/ Thomas Zabel

Thomas Zabel